

AGENDA EXCOMM MEETING

**Trusts and Estates Section
State Bar of California**

**OCTOBER 10, 2004
MONTEREY MARRIOTT PENTHOUSE — 9:00 A.M. to 3:00 P.M.**

I. WELCOME, INTRODUCTIONS AND REPORTS OF CHAIR/VICE CHAIR

- 1. Welcome & Introductions** [GODSHALL]
- 2. Approval of Minutes of July Meeting** [GODSHALL]
- 3. Report of Chair** [GODSHALL]
- 4. Report of Vice Chair** [FITZPATRICK]
- 5. Report of Section Administrator** [ORLOFF]
Administrative Matters

II. ADMINISTRATIVE MATTERS

- 1. Finance and Budget – Financial Report** [FITZPATRICK]
- 2. Council of State Bar Sections** [ORVELL]

III. COMMITTEE, TASK FORCE AND LIAISON REPORTS

- 1. Legislation** [POTTS]
 - (a) Mandatory procedures re legislative proposals
 - (b) Report on pending legislation
 - (c) Legislative proposals submitted to State Bar for next year
 - (d) State Bar Webpage & Online Bill Tracking legislative information:
Larry Doyle's Legislative Information Page:
www.calbar.ca.gov/calbar/html_unclassified/ViewBillCatalogues.html
 - (e) **IMPORTANT GUIDELINES:**
 - Please use approved format for legislative proposals.
 - Please Use Comment form for comments on legislation as a member of EXCOMM.
 - Always write to Larry Doyle, not directly to a member of legislature or legislative staff.
 - If you agree to testify, be there unless otherwise notified.
- 2. Conference of Delegates** [MOORE]
 - (a) T&E Resolutions

- 3. Trust & Estate Administration Committee** **[DOCKER]**
- (a) Opposition to SB 1248 (Trustee Registration) **[Henden]**
 - (b) Exploratory workgroup on graduated probate filing fees **[Potts]**
 - (c) Temporary Trustee powers
 - (d) Change of ownership rules -- proposal to revise BOE Form 100-B and amend RTC §§ 480.1 and 480.2
- 4. CLRC Committee** **[MOORE]**
- (a) Report on CLRC meeting
 - (b) Multiple party accounts
 - (c) Other pending or looming CLRC projects
 - (d) Uniform Trust Act/Prof. English Report
- 5. Educating Seniors** **[TONG]**
- (a) Senior Information Line 1-888-460-7364
 - (b) Speakers' Bureau
 - (c) AB 2316 and AB 2783 **[Pollard]**
 - (d) Other legislation affecting seniors
 - (e) Your Legal Rights - AMA Funding
- 6. Incapacity** **[HARRIS/STERN]**
- (a) PC §§ 1900-1901 and 2351.5 amendments
 - (b) B&PC § 6068.5 — Attorney role in helping at-risk clients **[Lodise]**
 - (c) HIPAA Issues working group
 - (d) Ongoing projects:
 - (1) Conservator investment powers – reform of PC § 2574
 - (2) Appointed counsel for the already represented – amendment of PC §§ 1470-1471
 - (3) Conservator independent powers – PC §§ 2590-2591
 - (4) W&IC § 15657.3 – Estate of Lowrie
 - (e) AB 1101 Task Force **[Lodise]**
 - (f) Medi-Cal Update
- 7. Ethics Committee** **[WOLFF]**
- (a) Report of Liaison to Revision Commission
 - (b) Status of Ethics Guide Update

- 8. Estate Planning Committee** [BEAMER]
 (a) 2 Year Bill re Posthumously Conceived Children (AB 1910) [Sinsheimer]
 (b) PC § 21350 care custodian project [Payne]
 (c) AB 252 (dis-establishing paternity)
- 9. Membership & Marketing** [ALBERIO]
 (a) Membership count
 (b) Marketing of education programs
 (c) Staffing tables at MCLE programs
- 10. Income and Transfer Taxes** [ALLEN]
 (a) State Legislation of Note
 (b) Federal Legislative Developments
- 11. Quarterly** [HANDELMAN]
 (a) Summer 2004 Issue status
 (b) Fall 2004 Issue status
 (c) Solicitation of articles
 (d) Advertising [Streisand]
- 12. Education** [KOONTZ]
 (a) Report on past/pending programs
 (b) Future programs
- 13. Litigation Committee** [HORTON]
 (a) Judicial Council proposal re fiduciaries in pro per
 (b) Combining will/trust procedures [Kovar]
 (c) Proposed model ADR rules [Henden]
 (d) New cases
- 14. McAdams Task Force** [LODISE]
 (a) Status
- 15. Computer/Internet** [HANDELMAN]
 (a) Listserve
- 16. CEB** [DENNIS-STRATHMEYER]
 (a) Upcoming Programs
 (b) Ads in CEB publications

17. NCCUSL

- (a) Uniform Trust Act
- (b) Uniform Institutional Management of Funds Act
- (c) Uniform Allocation of Tax Act - Birnberg
- (d) New proposals solicitation

IV. COMING ATTRACTIONS

FUTURE EXCOMM EVENTS

Next ExComm Meeting

**November 13, 2004
LAX MARRIOTT - 9:30 A.M. to 3:30 P.M.**